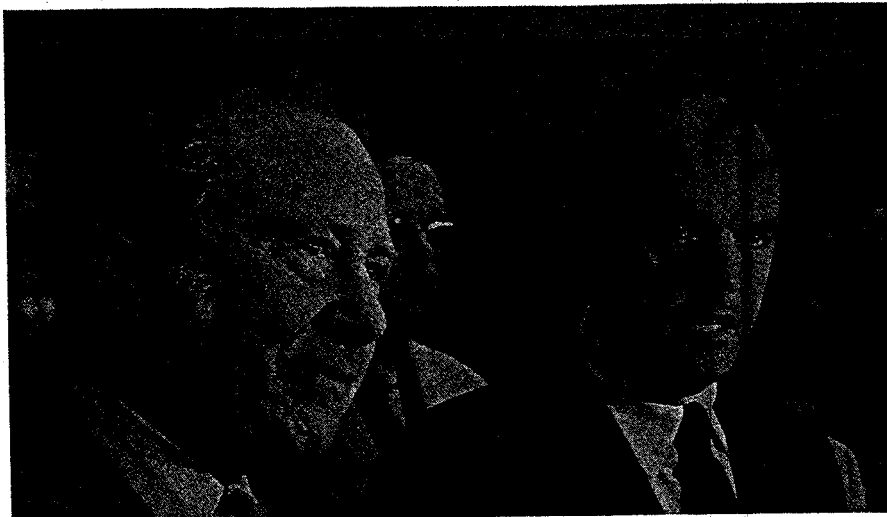




ATTORNEY BALL & CLIENT EHRLICHMAN AT ARRAIGNMENT IN LOS ANGELES

Ehrlichman's Lib Lawyer

Since he has coast-to-coast legal troubles, it is no surprise that former Presidential Adviser John Ehrlichman has coast-to-coast lawyers. In Washington, his attorney is crusty, conservative John J. Wilson, 72, who took some of the heat off his client by lecturing Senate Watergate probers as if they were first-year law students. In Los Angeles, where Ehrlichman is charged with perjury and complicity in the office break-in of Daniel Ellsberg's psychiatrist, he has retained equally feisty Joseph A. Ball, 70. But Ball is no conservative; his selection by Ehrlichman is eloquent testimony to the fact that litigation, like politics, makes strange bedfellows.

A dedicated liberal, Ball was the original lawyer for Anthony Russo, Ellsberg's co-defendant in the Pentagon papers case. He has strongly supported such opponents of Ehrlichman's old boss as George McGovern and Eugene McCarthy. He also regards President Nixon's least favorite Chief Justice, Earl Warren, as "the greatest American of our age—perhaps of any age." So why Ball? "There's no mystery," says another Nixon foe, former California Governor Pat Brown. "Ehrlichman needed the best, and he got him."

As Ball's law partner since 1966, Brown may be prejudiced. But other California attorneys and jurists agree. Says Superior Court Judge Emil Gumpert, who founded the American College of Trial Lawyers in 1950: "Ball is one of the few lawyers who can try any kind of litigation—criminal, civil, anti-trust, patent, anything. He's the best trial lawyer I've ever seen."

Ball, himself a former president of the trial lawyers' group, sees nothing unusual in his acceptance of Ehrlichman's

West Coast case. "Hell," he says, "I wouldn't be able to shave in the morning if I refused to defend Ehrlichman." He intends to defend vigorously. When TIME Correspondent Leo Janos asked Ball about the case, the attorney was not the least bit reticent: "My client is innocent. Ehrlichman should never have been indicted in the first place. A key question concerns asportation—to steal, take, carry away. By God, tell me what was stolen in this case. Nothing. What was the object of the entry? Who gave those young men the orders to break in? These are intriguing questions, but there's one clear fact: there was no burglary as the law defines it."

Last week Ball began his defense by arguing for dismissal of the Ehrlichman indictment. That failed, but he is ready this week with formal requests for some of the much sought presidential tapes, access to Ehrlichman's own White House files and access to the computers that have aided Special Watergate Prosecutor Archibald Cox and the Ervin committee in their investigations.

Next he is likely to ask that Ehrlichman's trial be severed from that of the other break-in defendants, a tactic that he has used effectively in the past. On one notable occasion, Ball successfully defended a land developer accused of bribing two L.A. harbor officials; tried separately, the hapless officials were found guilty of accepting the bribes. In recent years Ball has developed something of a side specialty in political bribery cases. "It got so bad for a while," he chuckles, "that my friends would say that politicians wait before taking a bribe to see how heavy my schedule is."

Ball began his practice in 1929, representing various oil companies in drilling-rights cases and other disputed claims. The Iowa-born son of a country

doctor, he entered the University of Southern California Law School after his parents moved to Long Beach. In private practice, Ball soon earned a reputation for a phenomenal memory. In a case involving a dispute over a Greek businessman's will, a family retainer told the court through an interpreter that the deceased had once said of a nephew: "I am scared he will kill me." Remembering his classical Greek from college days, Ball suggested that the proper translation could be: "I am afraid my relations will bear me ill will." Ball won his point and the case.

Despite his age, Ball shows no signs of frailty in or out of the courtroom. Up by 7, he plays nine holes of golf before going to work. (His home is on the 16th fairway of his club.) He is also fond of good food and good wines. Nonetheless, most evenings he is in bed by 7 so that he can settle down and read for a few hours—"anything or everything from briefs to biographies."

Offered a chance for a seat on the California Supreme Court when Brown was Governor, Ball decided that he preferred the style and combat of a trial lawyer. Though he loves a fight, he never pushes, as one judge puts it, with "foolish, unnecessary objections." Nor will he tolerate unethical behavior. He once had a doctor client who had performed a criminal abortion and wanted to testify that he had never seen the woman involved. Ball refused to let the doctor lie on the witness stand—but got him acquitted anyway. "Look," he says, "I'm neither judge nor jury. My job is to provide the best possible defense. The rest is up to the system of justice."

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